# PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: Frances M. Scham	<b>√</b>
I, or we. Marvin H. Scham and/ legal owner, s of the property situate County and which is described in the description and plat attached hereto and made a hereby petition (1) that the zoning status of the herein described property be re-classifi	part hereof, #9
to the Zoning Law of Baltimore County, from an	one to an

and (2) for a Special Exception, under the said	Zoning Law and	Zoning Regulations of Baltimor	E
County, to use the herein described property.	for an automo	otive service station	

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimor

& Upain Stewart A. Bain liumble Oil Company-----

Baltimore, Maryland 21221

A See Agreed

Address 306 W. Joppa Road Swson, Md.

21204
ORDERED By The Zoning Commissioner of Baltimore County, this. 6th day ..... 196.8., that the subject matter of this petition be advertised, as

required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County on the 20 MT Toth day of December 1968, at 19:04 o'clock T0th day of December 1968 at 10:00 o'clock A.M.

Zoning Commissioner of Baltimore County

Marvin H. Scham
Frances M. Scham, Legal Owner

Protestant's Attorney

Address 6221 Falls Road Baitimore, Maryland

Maryland

0111

Surveying and

Engineering Co., Inc.

Phone MUlterry 5-049-0470

69-126

A

0191.

DESCRIPTION OF MARVIN H. SCHAM PROPERTY N.E. CORNER FALLS ROAD & ARTWOOD DRIVE

Beginning for the same at a pipe set at the intersection of the West Side of Falls Read, as now widehold to feet, and the South Side of Artwood Drive. 10-10-20; and point of beginning being a point set on the divide of the state of the sta

Subject to an Basement Area for A San Sewer Basement as shown on the Baldmore County Right of Way Plat #RW 64-240-3.



# PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

126

MARYIN H. SCHAM SH/cor. of Falls

Frances M. Scham

I, or we, Akacym. II. Scham. 304/.....legal owner. 3 of the property situate in Baltimore

County and which is described in the description and plat attached hereto and made a part hereof,

hereby petition for a Variance from Section 238, 2 of the Baltimore County Zoning Regulations

to permit side yard setback of 15 feet rather than the required 39 feet and from Section 405, 485 to permit thout lights 12 feet in height rather than the required 8 feet and from Section 405, 48 to permit a ten foot insgent distance at the intersection of Fails Road and Route 25 rather than the required 26 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Failure to grant requested variances imposes practical difficulty and extreme hardship upon the petitioners.

Property is to be posted and advertised as prescribed by Zoning Segulations.

1. or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Ballmore County, applied pursuant to the Zoning Law For Ballmore County.

Steward A. Bain --Humble Oil Co. e, Maryl Gootract purchaser

Marvin D. Scham

Address 6221 Falls Road
Baltimore, Maryland

W. Lee Harrison Petitioner's Attorney Address 306 W. Joppa Road, Towson 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 6th

of ... Boyonker. ... 1988 ... that the subject matter of this petition be advertised, as required by the Zoning Law of B. 'timore County, in two newspapers of general circulation throughout Baltimore County, that property :... posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore 196 8 at 10:00 o'clock

10th 1000

missioner of Baltimore County.

It is further ORDERED that the herein petition for the afore going variances should be and the same is GRANTED from and after the date of this ORDER.

The site plan is su ject to approval of the State Roads Commission. Bureau of Public Services and the Office of Planning

RE: PETITION FOR SPECIAL EXCEPTION for Automotive BEFORE COUNTY BOARD OF APPEALS Service Station, and VARIANCES from Sections 238.2. VARIANCES from Sections 238.2, 405.4A and 405.4B5 of the Zoning : Regulations of Baltimore County SW corner of Falls and Artwood Roads : 3rd District OF BALTIMORE COUNTY

Marvin H. Scham, et ux

Petitioners Humble Oil Company Contract Purchaser No 69-126-XA

## ORDER OF DISMISSAL

Petition of Marvin H. Scham and Frances M. Scham for Special Exception for automotive service station and variances from Sections 238.2, 405.4A and 405.485 of the Zoning Regulations of Baltimore County, in the 3rd District of Baltimore County,

WHEREAS, the Board of Appeals is in receipt of a letter of dismissal of appeal filed September 9, 1969 (a copy of which is attached hereto and made a part hereof) from the attorney representing the Petitioners-Appellants in the above entitled matter.

WHEREAS, the said attorney for the said Petitioners-Appellants requests that the appeal filed on behalf of said Petitioners be dismissed and withdrawn as of

It is hereby ORDERED, this 10th day of September, 1969, that said appeal be and the same is Dismissed.

COUNTY BOARD OF APPEALS

OF BALTIMORE COUNTY

John A. Slowik, Acting Chairman

Re: Petition for Special Exception:
for Autor-otive Service Station
Variance, to Zoning Regulations:
N/W Cor. Fells Road & Artwood
Drive - 3rd District.
Marvin H, Scham and Frances M.
Scham. Petitire.

Before

Baltimore County No. 69-126XA

1111111111111111111111

The patitioners requested a special exception for an Automotive Service Station on property located at the northwest corr  $\epsilon$  of Falls Road and Artwood Drive, in the Tsird District of Baltimore

The petitioners also requested variances to Sections 238.2, side and rear yards; Section 405.48.5 Lighting and Section 405.4-A-3 Access and Street Exprovements.

The petitioners! request for a special exception for an Automotive Service Station is hereby denied for the sole reason that ther was not sufficient evidence to fulfill the requirements of Section 405; 3-D relative to a reasonable public need for the proposed Automotive Service Station.

As strict compliance with the Baltimore County Joning Regulations would result in practical difficulty and unreasonable hard-ship upon the petitioners and the requested variances would give relief without substantial injury to the public health, activy or general welfare of the locality involved, the following variances should be grarted:

To permit a side yard setback of 15 feet instead of the required 30 feet;

2. To permit floodl' shts 18 feet in height instead of the required 8 feet; and

To permit a 10 foot tangent at the intersection of Falls Road and Route 25 instead of the required 20 feet.

It is this //// day of December, 1968, by the Zoning Commissioner of Baltimore County ORDERED that the special exception for an Automotive Service Station be and the same is hereby DEMED.

CHARLES E. BROOKS

W. LEE HARRISON

County Board of Appeals Fowson, Maryland 21204

Re: Petition for Special Exception and Variances to Zoning Regulations (Automotive Service Station) NW Cor. Falls Road & Artwood Drive, 3rd Dictrict, Marvin II, Scham and Frances M. Scham, Petitioners No. 69-126-XA

Please dismiss the appeal filed in the above captioned case on January 10, 1989, on behalf of the Petitioner.

Very truly yours, Wyellanin W. Lee Harrison

W. LEE HARRISCS

TOWSON, MARYLAND BIROS

January 10, 1969



0

John G. Rose, Esq. Zoning Commissioner County Office Building Towson, Maryland 21204

CHARLES E. DROOM

Re: Special Exception for an Automotive Service Station, NW cor. Falls Rd & Artwood Drive, 3rd District, alarvin H. Scham, et ux, Petitioner

Please note an appeal to the Board of Appeals from your decision and order entered in the above captioned matter.

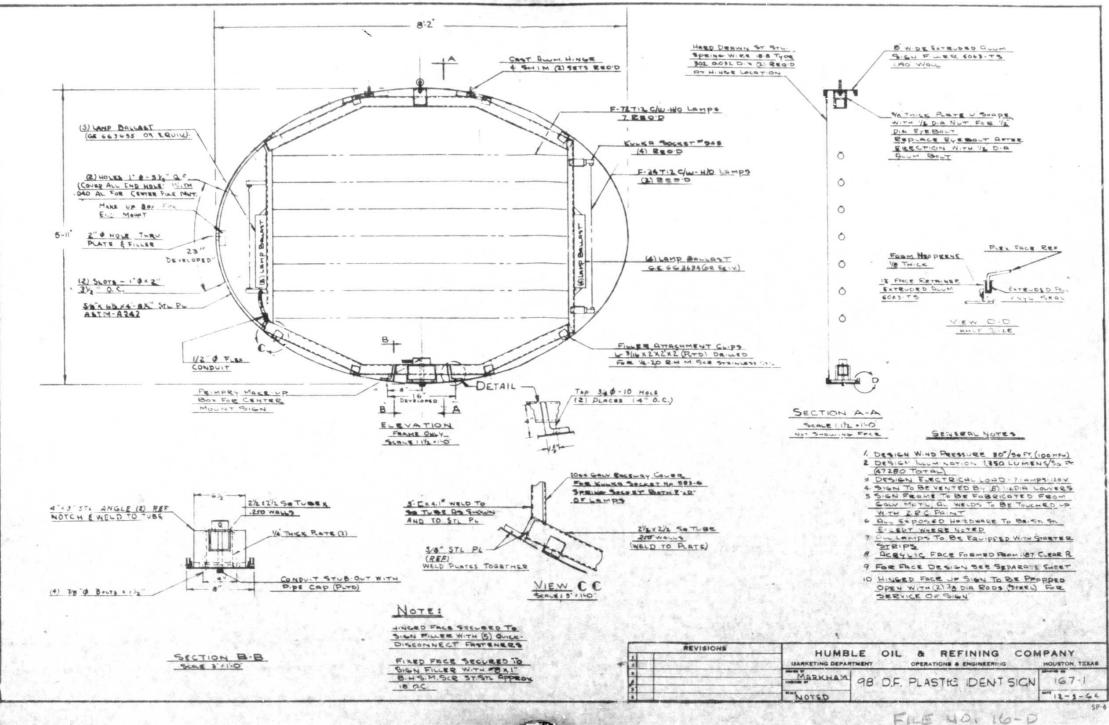
l enclose herewith my check in the amount of \$75, 29 to cover the

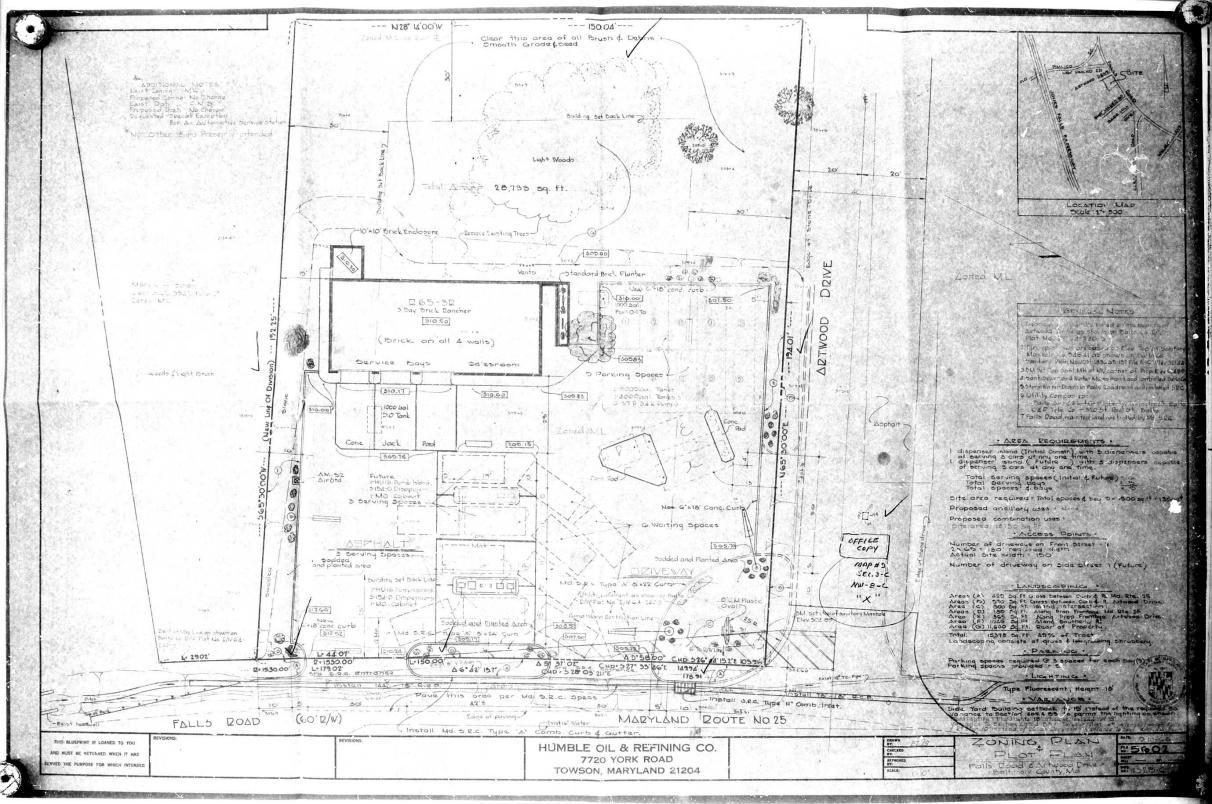


Bal & P. Lan

File No. 1805 - 73

HITEO = 8'2" X 3'11 X .7854





### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date November 27, 1968

FROM George E. Gavrelis, Director of Planning

FROM George E., Garvetis, Director of Planning
SURDET
SURDET
Petition \*69-120-XA. Variance to permit a tide year of 15 feet instead of the
required 30 feet; and to permit floatility in 16 feet in height instead of the
required 3 feet; and to permit floatility in 16 feet in height instead of the
required 3 feet; and to permit floatility in 16 feet in height instead of the
required 3 feet; and to permit floatility in 16 feet in

3rd District

HEARING: Tuesday, December 10, 1968 (10:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject potition for Special Exception for an automotive service station together with variances. It has the following advisory comments to make with respect to pertinent planning

- The planning staff has no adverse comment to make with respect to the request for a Special Exception. We note that there are no existing or abandoned service stations within a mile radius of the subject
- With respect to the variance on tangent distance, the planning staff has no odverse comment to make. We note that the entrance widths are less than the saximum allowed by the regulations and that compliance are less man me insumum allowed by the regulations and that compliance with the strict standards is impossible because of the use of radii in designing the entrance curbing rather than using depressed curbing.

  We understand that the State Roads Commission has required the radii here.
- Unzoned public land exists on the opposite side of Falls Road. Industrial onzonee public land exists on me opposite side or raits kood. Industrial one commercial zoning otherwise exists in the vicinal area. Cannot the lighting fit-tures comply with the requirements of the regulations without variance by wise and discreet use of site planning and location techniques?

GEG-hms

# BALTIMORE COUNTY, MAKILAND

#### INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning

Date November 8, 1968

FROM. Captain Charles F. Morris, Sr.

SURJECT Item 118 - Wednesday, November 6, 1968

Property owner: Marvin H. Schan, et ux Location: N/W corner Falls Road and Artwood Drive District: 3rd

1. No fire problems at this time.

- william --

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 21, 1953

W. Lee Harrison, Esq., 305 W. Joppa Boad Towson, Maryland 21205

Dane Sies

JAMES F. DV ...

RE: Type of Hearing: Special Exception for an Automotive Service Station Location: NY Cor. Falls Rd. 5 Artwood Drive Destinate: 13 of Pattioner: Harving to tax Cornittee Meeting of Navember 6, 1969 Iren 118

BLKEN OF MARKET OF

PIRCONSTRUCTOR Fedite . . . . Shir

The Zoning Advisor; Countities has reviewed the plans submitted with the above referenced notition and has made an on site field inspection of the prometry. The following comments or a result of this review and inspection.

coments are a result or this review and inspection.

Subject property is uninground, relatively "evel. Menever,
there appears to be a sterm drainage problem along the
frontage of the property, adjacent to the rend. The property
on the north on the opposite side of friend of rive. The property
with a nonafecturing building (lane side of a Co.); the property
with a nonafecturing building (lane side of a Co.); the property
aintain hospitality of the property has shrubbery
animal hospitality for the property and shrubbery
the resultaint in the root is a gissay area with trees,
the resultaint in the root is a gissay area with trees,
the resultaint in the root is a gissay area with trees,
the resultaint in the root is a gissay area with trees,
the resultaint in front is a gissay area with trees,
the resultaint in the root of the property of the east or opposite side of falls food is uniqueved,
is very ready and has a rise off of falls food of approximately
20 it.

PROJECT PLANKING DIVISION:
The above noted plan has been reviewed and there are no problems of a site planning nature.

BUREAU OF TRAFFIC ENGINEERING: Since the land is presently zoned hi, the subject petition should not generate additional traffic, The plan as shown appears to be satisfactory.

HEALTH DEPARTMENT:
Public water and severs are evailable to the site.
The building or buildings on this site may be subject to
registration and compliance with the Maryland State Health
registration.

# BALTIMORE COUNTY, MAK, LAND

### INTER-OFFICE CORRESPONDENCE

JOHN G. ROSE TO Zoning Commissioner

Date November 8, 1968

FROM PROJECT PLANNING DIVISION

SUBJECT ZONING ADVISORY AGENDA ITEM NO. 118

November 6, 1968 Marvin H. Scham, et ux NW/cor. Falls Road & Artwood Drive

The above noted plan has been reviewed and there are no problems of a site-planning nature.

AVQ: vh

Most / Leverty ALBERT V. QUIMBY, Chief

- Will cooks --

Page 2

W. Lee Harrison, Esq., 306 W. Jappa Road Towson, Maryland 21204

November 21, 1968

HEALTH DEPARTMENT: (Continued)
Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

STATE MOND COUNTS OF:

NILL office and finds that the enterior channel forth that the enterior channel feation as indicated on the plan is acceptable to the State Road Comission. Measure, the readside fees of curb is to be 20° from and parallel to the center line of falls Road. This should be indicated on approval and enterior permit.

This patition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor nore than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

JAKES E. DYER, Chaleman

@ O

November 7, 1968

Baltimore County, Margiand

BUREAU OF TRAFFIC ENGINEE JEFFERSON BUILDING

Item i18 ZAC - Wednesday, November 6, 1968 Northwast corner Falls Road and Artwood Drive

Since the land is presently zoned ML, the subject pecition should not generate additional traffic.

The plan as shown appears to be satisfactory.

Mr. John C. Rose

JED+.ID

BALTIMORE COUNTY MARYLAND

INTER-GETIVE CORRESPONDENCE

To Mr. John G. Rose, Zoning Commissioner Date November 27, 1968

George E. Gavralis, Director of Plenning

soge C. Govralis, Director of Plenning
Special Exception for an Autonotive Service Station.
Pertition #69-126-XXA. Variances to permit a side year of 15 feet instead of the
respired 30 feet; and to permit if Boodlight 15 feet in height instead of the
respired of feet) and to permit to use foot cangent distance at the inhamaction
of Falls Road and Equate 25 instead of the respired 20 feet. Southwest corner
of Falls and Artwood Roads. Marvin H. Scham, Petitioner.

3rd District

HEARING: Tuesday, December 10, 1968 (16.60 A.M.)

The stuff of the Ciffice of Planning and Zoning has reviewed the subject petition for Special Exception for an automotive service station together with verticence. It has the following advisory comments to make with respect to pertinent planning.

- The planning staff has no adverse commant to make with respect to the request for a Special Exception. We note that there are no existing or abandoned services staffors within a mile radius of the subject.
- With respect to the variance on tangent distance, the planning staff ion no adverse comment to make. We note that the entrance widths are less than the sensitivum allowed by the guidation and that compliance with the strict standards is largestable because of the use of radii in designing the entrance cubling rather than using depressed outling. We understand that the State Road Commission has required the radii here. 2.
- Uncomed public land exists on the apposite side of Falls Road. Industrial or commercial zoning otherwise exists in the vicinal area. Cannot the lighting fixtures comply with the requirements of the regulation: without various by wise and discreture of the planning and location techniques?

GEG:be.



STATE ROADS COMMISSION

BALTIMORE MD 21201

Mr. John G. Rose Zoning Commission County Office Building Towson, Maryland 21204

Dear Mr. Rose:

november 8, 1968
Res Loning Advisory Committee Meeting
State 118 Parry Committee Meeting
State 118 Parry Committee Meeting
Stoke, et us
Location W Cur. Falls &d.at. 25
6 Artwood Drive Districts 3rd
Fresent Coning M. 6 CV
Fronosed Jongins E. for a submotive
state of 5 var. 382, 2 505,
485, 403, 48 No. Acres 10.650
Sto plan and firm

This office has reviewed the subject plot plan and finds that the entrance channelization as indicated on the plan is acceptable to the State Boads Commission nowever, the roadsice fact of carb is to be 200 from and parallel to the centerline of Falls Road. This should be indicated on the plan. The entrances will be subject to the Commission's approval and entrance permit.

Very truly yours,

Charles Lee, Chief Development Engineering Section

John & Mays

By: John E. Heyers Asst. Development Engineer

JEH/dew

CRM: nr

EUGENE CLIFFORD

Teaffic Engineer

From

Illiam M. Greenman:
Property Omer: Marvin M. Scham, et ux.
Location: NN Cor. Falls Rd. & Artwood Drive
District: 3rd
Present Zoning: M. & CNS
Proposed Zoning: Sal. for an automotive service
roposed Zoning: Sal. for an automotive service
405,465,405,44

Health Department comments:

118. Public water and sewers are available to the site.

The building or buildings on this site may be subject to registration and compliance with the Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health

Chief
Water and Sewer Section
BUREAU OF ENVIRONMENTAL HEALTH

OFFICE OF O COMMUNITY IMES RANDALISTOWN, MD. 21133 107.25, 19 68 THIS IS TO CERTIFY, they the annexed advertisement of John 4. -011, -0118 Complet for f was inserted in THE COMMUNITY TIMES, a weekly newspaper published in Baltimore County, Ma., and, once a week for Unit automasive

was inserted in the issues of 317. 11, 1966.

STROMBERG PUBLICATIONS, Inc.

By Buth Morgan

1 -019N

69-126-XA

CERTIFICATE OF POSTING

Pustrict. 315	Date of Posting 1-23 69
Posted for	············
Petitioner: MERVINH SchA	2
Location of property 2 W Cur FA	Us Md & Artwesd Ka
Location of Signer 35 - Sef Art's	eed All on W/s of Palls Pd
Remarks:	
Posted by	Date of return: 1-30-69

TO Mr. John G. Rose, Zoning

FROM. Captain Charles F. Morris Sr.

1. No fire problems at this time.

4 Signs

69-126-XA

istrict 31d	Date of Posting. 11-22-65
osted for Special Greeptin	H F. VARIANCE
etitioner: M. M. Selam.  ocation of property: 24/650 of f.	Date of Posting 11-22 68  Polls Rd & Arthury Rd
ocation of Signa @ 45' Wiff	alls Rd on 5/5 of Artwood Policed Rd on w/s of Falls Rd
emarks:	Date of return: 11-29-68

## BALTIMORE COUNTY, MARILAND

INTER-OFFICE CORRESPONDENCE

SUBJECT Item 118 - Wedganday, November 6, 1768 Property cases Harvin II. Schau, et ux Location: N/W comer Falls Road and Artacod Drive Blatthets Prd

CERTIFICATE OF PUBLICATION

THE JEFFERSONIAN,

CENTIFICATE OF POSTING

311	Date of Posting 11-22-65
Posted for Special Exe	splin - 4 Variance
Petitioner: N. De A. Location of property: 24/65.	Date of Posting. 11-22 68 og Lun - 4 Variance. of Palls Rd A. Artweed Rd.
Location of Signs @ 45' 4	siffalls Rem 5/2 of Historical Peli Etweed Red m w/s of FAILS Red
Remarks:	
Posted by Signature	Date of return: 11-29-68

Maltimore County, Maryland BUREAU OF TRAFFIC ENGINEER
JEFFERSON BUILDING
TOWSON, MARYLAND 2120

15em 118 ZAC - Wednesday, Hovenburger Falls Road and

Since the land is presently zoned ML, the subject petition should not generate additional traffic.

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

BALTIMORE COUNTY. MARYLAND

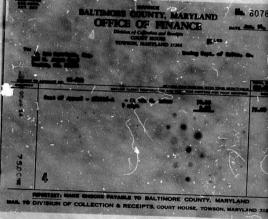
INTER-OFFICE CORRESPONDENCE

PROTECT PLANNING STUTCTON

SURJECT ZONING ADVISORY AGENDA ITEM NO. 118

November 6, 1968 Marvin H. Scham, et ux NW/cor. Palls Road & Artwood Drive

Albert V. Jumb



B-17-18-	OFFICE OF FINANCE	56
Ter	Division of California and Results COURT HOUSE TUNERON, MARYLAND 21204 Smiles Gapt. of Palms.	
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•	Relition for State. Spec of Computer and Stricture for Stricts St. States	
8		
	TO UK	
<b>5</b> 0		
5000m	4	

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND

